



U.S. Department of the Interior
Bureau of Land Management
Glennallen Field Office
P.O. Box 147
Glennallen, Alaska 99588
<http://www.blm.gov/ak/st/en/fo/gdo.html>

Categorical Exclusion

Applicant: Tim Green
Case File Number: AA-093120
DOI-BLM-AK-A020-2012-0007-CX



Location: Tractor Trail West of Mentasta Village, Section 15, T. 14 N., R. 5 E.; Sections 14-16, 23-24, T. 14 N., R. 7 E., Copper River Meridian, Alaska.

Prepared By: Joseph Hart, Realty Specialist

PART II - NEPA REVIEW
CATEGORICAL EXCLUSION

A. BACKGROUND

BLM Office: Glennallen Field Office

Lease/Serial/Case File No: AA-093120

Environmental Document No: DOI-BLM-AK-A020-2012-0007-CX

Proposed action Title/Types: Renewal of an authorized right-of-way – 281001.

Location of Proposed Action: Tractor Trail West of Mentasta Village, an existing trail crossing BLM Managed lands located within

Secs 15, T. 14 S., R. 5 E., Copper River Meridian.

Secs 14-16 and 23-24, T. 14 N., R. 7 E., Copper River Meridian.

Description of Proposed Action: Renew a right-of-way on public lands to facilitate access to State Conveyed land near Mankommen Lake.

Applicant (if any): Tim Green

B. Land Use Plan Conformance 43 CFR 1610.5-3(a)

Land Use Plan Name: East Alaska RMP

Date Approved: September 7, 2007.

 X The proposed action is in conformance with the plan even though it is not specifically provided for because it is clearly consistent with the following planning decisions:

 The proposed action is in conformance with the plan even though it is not specifically provided for because it is clearly consistent with the following planning decisions (objectives, terms, and conditions):

C. NEPA Compliance

The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with United States Department of the Interior 43 CFR Section 46.210 or United States Department of Interior Manual, Part 516, Chapter 11 which provides:

E. Realty

9. Renewals and assignments of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorization.

D. Extraordinary Circumstances

The following Departmental List of Extraordinary Circumstances apply to individual actions. Departmental instructions mandate the environmental documents must be prepared for actions which may:

1. Have significant adverse impacts on public health or safety.

Yes

No X

2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.
- Yes _____ No X
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].
- Yes _____ No X
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.
- Yes _____ No X
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.
- Yes _____ No X
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.
- Yes _____ No X
7. Have significant impacts on properties listed, or eligible for listing on the National Register of Historic Places as determined by either the bureau or office.
- Yes _____ No X
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.
- Yes _____ No X
9. Violate Federal law or a State, local or Tribal law or requirement imposed for the protection of the environment.
- Yes _____ No X
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).
- Yes _____ No X
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred site (Executive Order 13007).

Yes _____

No X

12. Contribute to the introduction, continued existence, or spread of weeds or non-native invasive species known to occur in the actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).

Yes _____

No X

I certify that none of the Departmental Extraordinary Circumstances listed in the above Part B (516 DM 2, Appendix 2) apply to this action.

Remarks: None.

Preparer(s): s/s Joseph J. Hart

Date: 2/14/12

Assessment of Undertakings Not Subject to Further Section 106 Review Glennallen Field Office

GFO Document No. GFO-11-09

BLM Serial No. AA093120 **Environmental Assessment No.** DOI-BLM-AK-A020-2012-0007-CX

Class of Inventory: No Further Review

Dates of Inspection: 01/09/2012

Inspector: John Jangala

Maps: Nabesna (D-6); Gulkana (D-1); Mt. Hayes (A-1)

Applicant: Tim Green

Location: The project will be conducted in the Alaska Range near the Native village of Mentasta. Specifically, the project will take place along the Mentasta Trail also known as the Eagle Trail in T.14N., R.5E.; T.14N., R.7E.; Copper River Meridian

Project Description: The Bureau of Land Management proposes to permit Tim Green to transport mining equipment to his State of Alaska mining claims over the snow covered frozen ground along the well-used Mentasta Trail. The trail has been used for several decades by hunters and miners, who have transported large pieces of mining equipment to the vicinity of the current applicant's mining claims.

Acreage: Unknown

Recommendations: According to the Protocol for Managing Cultural Resources on Lands administered by the Bureau of Land Management in Alaska, between the Bureau of Land Management and the State Historic Preservation Officer, signed April 17, 1998, this undertaking is not subject to further Section 106 review (Appendix 2: Category One and Six). The project will occur along an existing trail that has been used for several decades by miners transporting heavy equipment and is unlikely retain any intact cultural resources. Additionally, the project will involve less than one square meter of ground disturbance and will take place on areas with snow cover and frozen ground. As long as the applicant adheres to the attached stipulations, the applicant may proceed as proposed in the application. However, if heritage or paleontological resources are encountered during implementation of the project, the project will cease and the Glennallen Field Office, cultural resource staff, shall be notified.

The following stipulation should be attached to the permit: "There shall be no disturbance of any archaeological or historical sites, including graves and remains of cabins, and no collection of any artifacts whatsoever. Also, collection of vertebrate fossils, including mammoths and mastodon bones, tusks etc., is strictly prohibited. If historic resources are encountered then all artifacts will be respectfully left in place and the Glennallen Field Office's cultural resources staff will be notified immediately. "

Signed:

John W. Jangala
Glennallen Field Office Archaeologist (AK-020)

**United States Department of Interior
Bureau of Land Management
Anchorage Field Office**

**COMPLIANCE WITH
ANILCA SECTION 810**

EVALUATION AND FINDINGS

Case File No.: AA-093120

Categorical Exclusion: DOI-BLM-AK-A020-2012-0007-CX

APPLICANT: Tim Green – Northwest Mining LLC

Proposed Action: Renew a right-of-way on public lands along the Mentasta Trail, to facilitate access to a mining claim on State Conveyed land near Mankomen Lake.

Description of the Proposed Action:

The project will start near the Native village of Mentasta, along the Mentasta Trail also known as the Eagle Trail in T.14N.,R.5E.; T.14N., R.7E.; Copper River Meridian. The Bureau of Land Management proposes to permit Tim Green, Northwest Mining LLC, to transport mining equipment to his State of Alaska mining claims over the Mentasta Trail, a distance of about 30 miles. The trail crosses approximately 6.75 miles of Native selected lands managed by BLM. Mr. Green proposes to drive a D9R Cat dozer, and a 320 Cat excavator one way along the trail from road access near Lake Mentasta to his mining claims. Mr. Green also proposes to move 26,000 gallons of diesel fuel, 1000 gallons of gasoline, and three 55 gallon drums of hydraulic oil with a D6 Cat dozer that will pull a 5000 gallon fuel tanker on rubber tires designed for highway travel. Twelve round trips with the D6 Cat are anticipated, with 6 trips involving the transport of fuel in 5000 gallon increments, and 6 trips to move camp supplies. The move is proposed to start on March 10 to 15, and be completed by April 10th, 2012.

LOCATION: Tractor Trail (Mentasta Lake Trail) West of Mentasta Village, an existing trail crossing BLM Managed lands located within

Secs 15, T. 14 S., R. 5 E., Copper River Meridian

Secs 14-16 and 23-24, T. 14 N., R. 7 E., Copper River Meridian

EVALUATION

Effect of proposed action on subsistence uses and needs:

The proposed actions will occur on Native selected lands that are currently managed by BLM. These lands do not meet the ANILCA sec 102 (3) definition of Federal Public Lands under the Federal Subsistence program. Validly patented, conveyed, or tentatively approved lands fall under the authority of the State of Alaska for the management of fish and game.

Fisheries

The proposed route follows the Mentasta Lake Trail, and crosses the Slana River in several places on Native selected lands. The Slana River is an anadromous stream that supports silver salmon. Salmon that spawn in the Slana River likely contribute to the harvest on the Copper River. The move of heavy equipment along the trail will be done with frozen ground and snow cover, and will therefore protect the trail, vegetation and the Slana River from damage by the movement of equipment. However there is potential for fuel spills while moving the

fuel tankers along the trail and while crossing the Slana River, which could potentially affect subsistence fish resources in the area, as well as downstream within the Copper River watershed.

The proposed action would not significantly reduce harvestable fisheries resources that are available for subsistence use. The proposed action would not alter the distribution, migration or location of harvestable fisheries resources. Approved mitigation measures outlined in the East RMP would prevent degradation of adjacent water sources and fisheries habitat. The proposed action will not create any legal or physical barriers that would limit access by subsistence users of the fisheries resource.

Wildlife:

The proposed action is on native selected lands, and no regulated Federal subsistence hunting is allowed in the area of the proposed action. However, big game such as moose and caribou travel through the area, and may be available for subsistence use when they are present on Federal lands. An extensive hunting trail network exists in the area. These trails are utilized by residents of Mentasta, Slana, and the surrounding rural communities. Moose hunting in the area of the proposed action is under State regulations. Therefore, there is no direct effect on big game for the Federal subsistence hunt because there is no regulated federal subsistence hunt along the Mentasta trail. There is therefore no significant effect on subsistence uses and needs.

The proposed action would not alter the distribution, migration or location of harvestable wildlife resources. The proposed action would not create any legal or physical barriers that would limit subsistence harvest and access.

The proposed action would occur in areas that are fairly accessible from local villages and important subsistence use areas. The most intensive subsistence activity is believed to be concentrated on lands conveyed or selected by individuals and corporations, and Native Allotments are typically claimed based on a family's use of a site for subsistence activities. Most of the BLM lands in this region is native selected, and does not receive use by qualified Subsistence users.

The proposed action should not significantly alter the distribution, migration or location of harvestable wildlife resources. The movement of equipment along the trail in winter may displace animals in the immediate vicinity but such impacts would occur only during the short time that equipment moves are taking place. The proposed action will not create any legal or physical barriers that would limit access by subsistence users of the wildlife resource.

Other Resources: The proposed action would not appreciably impact any other harvestable renewable resources such as wood, berries, vegetation or water.

FINDING:

This proposed action will not significantly restrict subsistence uses. As a result of the proposed action there are no reasonably foreseeable significant decreases in the abundance or distributions of subsistence resources and no reasonably foreseeable limitations to subsistence access.

PREPARED BY: s/s Bruce E Seppi
Bruce Seppi

DATE: Feb 10th, 2012

Recommendations: Mr. Green should be prepared to confine and clean up a fuel spill from the tankers, which can transport 5000 gallons of fuel, over the entire length of the trail during the move.

Department of the Interior
Bureau of Land Management
Glennallen Field Office

NEPA Interdisciplinary Review

Project Name: Tim Green right-of-way renewal

Casefile Number: AA-093120

NEPA Document Number: DOI-BLM-AKA-020-2012-0007-CX

NEPA Preparer: Joseph Hart, Realty Specialist

Please return to preparer by: January 20, 2012

Staff Specialist	Resource Area	Comments Provided Yes / No	Date Reviewed
Brenda Becker	Lands and Realty	No	1/9/2012
Marcia Butorac	Recreation and Facilities	No	1/9/2012
Wildlife Specialist	ANILCA, Section 810	Yes	2/10/2012
Wildlife Specialist	T&E Animals		
Wildlife Specialist	T&E Plants		
Wildlife Specialist	Wildlife		
Heath Emmons	Wild and Scenic Rivers	No	1/9/2012
Marnie Graham	Public Affairs	No	1/12/2012
Denton Hamby	Special Recreation Use	No	1/9/2012
Denton Hamby	Visual Resources	No	1/9/2012
Brad Honerlaw	Law Enforcement	N/A	
Alysia White	Law Enforcement	No	1/9/2012
John Jangala	Cultural Heritage	No	1/9/2012
John Jangala	Paleontology	No	1/9/2012
Cory Larson	Travel Management	No	1/9/2012
James Whitlock	Minerals	N/A	
Ben Seifert	Fire Management	No	1/11/12
Ben Seifert	Forestry	No	1/11/12
Ben Seifert	Invasive Weeds	No	1/11/12
Mike Sondergaard	Soils	No	1/9/2012
Mike Sondergaard	Air Quality	No	1/9/2012
Tim Sundlov	Riparian & Wetlands	No	1/12/2012
Mike Sondergaard	Water Quality	No	1/9/12
Tim Sundlov	Fish Biology	No	1/12/2012
Joseph Hart	Hazardous Materials	No	1/4/2012
Elijah Waters	Branch Chief – Resources		

Authorized Officer Review: s/s Elizabeth Maclean

Date: 2/14/12